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Civility: Disagreeing Without Being Disagreeable

Ethics Law eLearning
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Ethics is More than the Law

The principles that have guided the development of ethics law predate the law

Public office is a public trust

No one can serve two masters

The idea of a temptation to dishonor



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Ethical Obligation to be Trustworthy

Public office is a public trust

- Something entrusted to us by election or appointment
- Something in which the public should be able to trust

Conduct by public officers that clearly undermines that trust raises serious ethical concerns



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The Necessity of Compromise



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Consensus, Compromise and Combat

<https://www.merriam-webster.com/>

Consensus

General agreement

Compromise

Something intermediate between or blending qualities of two different things

Combat

A fight or contest between individuals or groups



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Compromise is a Necessary Political Art

Consensus is rare on many matters of policy

Consensus, even when available, is very time-consuming

Compromise often is possible (though it can be hard work)



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Promises and Compromise

- A promise to take/never to take a specific policy action creates conditions for **combat**
 - If one has sufficient power and skill, one may “win”
 - If one doesn’t, one certainly will lose
- A promise to pursue a policy goal creates conditions for **compromise**



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Disagreeing Without Being Disagreeable

“Fair Fighting”

- Critique ideas
- Focus on the subject matter at hand
- Be specific and concrete
- Seek solutions



The Power of Procedure



The Necessity of Procedure

[W]hat is government itself, but the greatest of all reflections on human nature? If men were angels, no government would be necessary. If angels were to govern men, neither external nor internal controls on government would be necessary. In framing a government which is to be administered by men over men, the great difficulty lies in this: you must first enable the government to control the governed; and in the next place oblige it to control itself.

Federalist #51



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Parliamentary Procedure

- Facilitates the resolution of policy questions
- Regulates the conduct of officials



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Codes of Conduct

- An extension of the principles of parliamentary procedure
- A guide to proper conduct at meetings
- A means by which proper conduct can be enforced



Preserving Rights and Decorum

- Participation in public meetings is a right
- That right is not without limit



Preserving Rights and Decorum

Policies affecting public participation may regulate:



Time
Place
Manner



Applying Codes of Conduct

Consistency

Content-neutrality



Adopting a Code of Conduct

- Provide for meaningful input by elected officials, staff and members of the public
- Don't write the code in response to individuals or unique problems
- Make it fair and enforceable
- Once adopted, live by it (at all times)



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Signs We Can Be Trusted

- Respect for all participants
- Submission to the proper exercise of authority
- Fair exercise of power in the public interest



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Questions???



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Thank you

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Shwanda Barnette, Florida League of Cities
and

You!

